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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/582,265	07/10/2008	Jussi Korolainen	2542-00062	1279

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EXAMINER

JAYNE, DARNELL M

ART UNIT	PAPER NUMBER
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3637

MAIL DATE	DELIVERY MODE
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05/11/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/582,265	Applicant(s) KOROLAINEN, JUSSI	
	Examiner MICHAEL CALABRESE	Art Unit 3637	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>2008/07/10</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers (FI 20035234) submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Drawings

2. It should be noted that the drawing pages, while they appear to contain the correct Figures (1-4B), are labeled 1/5, 2/5, and 3/5. If Applicant intended for additional drawings to be submitted, each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d).

Specification

3. The disclosure is objected to because of the following informalities: The disclosure should not reference the claims (found in lines 7-11 of page 2 of the disclosure), as the claims are subject to change.

Appropriate correction is required.

Claim Objections

4. Claims 1-14 are objected to because of the following informalities:
5. It is recommended the claims utilize an appropriate transitional phrase (i.e. "wherein" or "further comprise(s)") in lieu of "characterized in that", in order to better conform to US practice.

Art Unit: 3637

6. As for Claim 1, the claims should not refer to portions of parts in the possessive.

It is recommended the limitation “the bearer’s bottom portion” found in lines 6-7 of the claim be changed to “a bottom portion of the bearer”.

7. As for Claim 3, it is recommended the word “a” be inserted after the phrase “characterized in that” in line 1.

8. As for Claim 3, it is recommended the limitation “the element’s rear portion” found in lines 6-7 of the claim be changed to “a rear portion of the element”.

9. As for Claims 6 and 11-14, it is suggested the limitation “its top and bottom portions” found in line 3 of the claim be changed to “top and bottom portions thereof”.

10. Appropriate correction is required.

Claim Rejections - 35 USC § 112

11. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

12. Claims 1-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

13. As for Claims 1 and 2, the phrase “for example” (“i.e.” found in line 9 of each claim) renders the claims indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

14. As for Claim 4, it is unclear if the “two swing arms” are the same part(s) as the “swing arm” found in line 6 of Claim 1.

Art Unit: 3637

15. Claim 4 also recites the limitation "the second pivot joint" in line 3. There is insufficient antecedent basis for this limitation in the claim.

16. Claim 5 recites the limitation "the swing arm" in line 2. There is insufficient antecedent basis for this limitation in the claim.

17. As for Claims 6 and 11-14, the language, "has [the bearer's] top and bottom portions provided with horizontal swivel axles for the bearer" is unclear and confusing as presently worded. It is unclear as the meaning of the phrase, "for the bearer", and what relationship applicant intends for this to define. Also, it is unclear if the "horizontal swivel axles" are the same parts as the "first pivot joint" of Claim 1, and/or the first and second pivot joints of Claim 2, or the "horizontal swivel axle" of Claim 3.

18. Claim 10 recites the limitation "the swing arm" in line 1. There is insufficient antecedent basis for this limitation in the claim.

19. The remaining claims are indefinite because they depend from indefinite claims.

Claim Rejections - 35 USC § 103

20. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

21. Claims 1-3, 6, 11, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Korber et al. (Korber) (United States Patent No. 7,047,890) in view of Korolainen (FI 77967).

Art Unit: 3637

22. As for Claim 1, Korber is cited for teaching a computer table element comprising: a body, a sliding keyboard panel (30; See Figures 2-4) having an extended working position (See Figure 4) and a retracted storage position (See Figure 2), a bearer (14) mounted pivotably on the body capable of supporting a fiat-panel display in various positions, and means for transmitting a movement of the keyboard panel to the bearer, characterized in that the means include a swing arm (24), which is connected by a first pivot joint (46; See Figure 6) to a bottom portion of the bearer (14) and the turning of which makes the bearer pivotable for reducing an angle between the display and a vertical plane, wherein the display swivels towards the vertical plane as the keyboard panel travels from the working position to the storage position (See annotated Figure 4 below; when the keyboard panel is pushed inwards, motion opposite of the sequence found in Figures 2-4 will occur and the bearer will move in the direction of arrow A towards plane B).

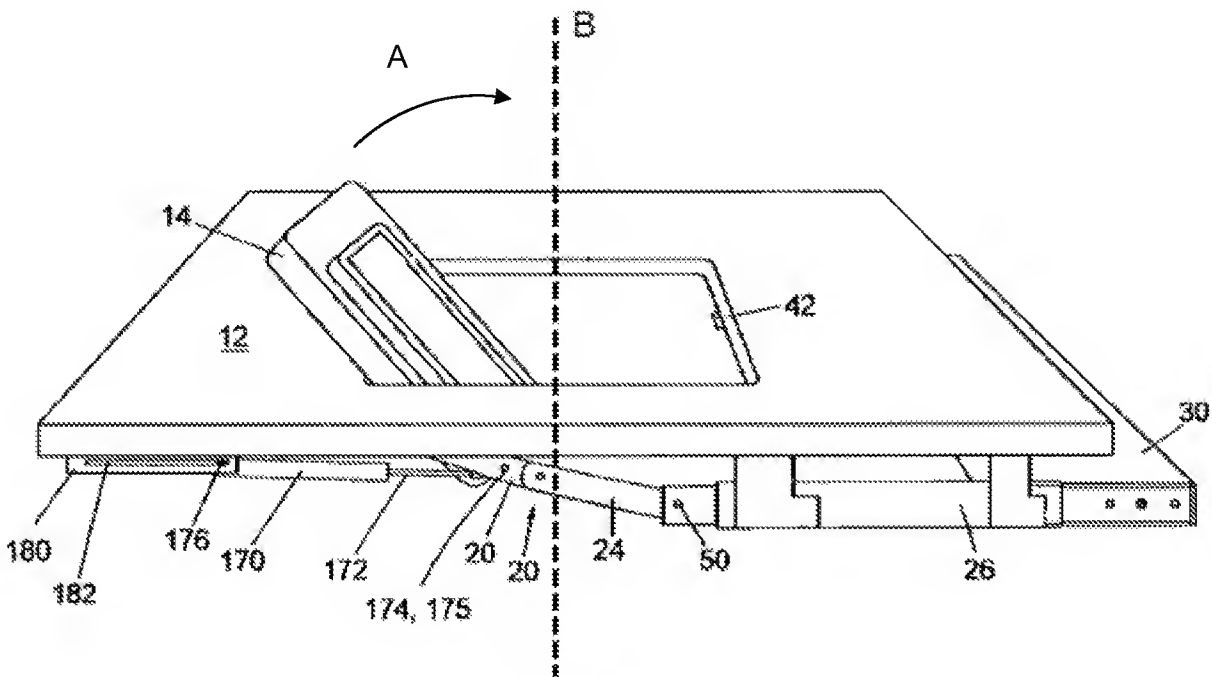


FIG. 4
US 7,047,890 B2
Korber et al.

23. Korber does not explicitly state that the computer table element includes a front cover mounted removably or permanently on the swing arm and that the front cover is adapted to swivel together with the swing arm.

24. Korolainen is cited for teaching a computer table element having a front cover (8; see Figure 3).

25. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the computer table element of Korber so as to incorporate a front cover attached to the swing arms (between links 24's; See Figure 6), as taught by Korolainen, in order to provide a cover for the flat panel display and prevent a user from kicking the display when in a stored position.

Art Unit: 3637

26. It should be noted, that alternatively, the swing arms can be viewed as the combination of links 22 and 24.

27. As for Claim 2, Korber is cited for teaching a computer table element, comprising a body, a sliding keyboard panel (30) having an extended working position (See Figure 4) and a retracted storage position (See Figure 2), a bearer (14) mounted pivotably on the body capable of supporting a flat-panel display in various positions, a link (24) beneath the keyboard panel, the link (24) and the display bearer (14) having a portion thereof linked to each other by a horizontal first pivot joint (40; via link 22) wherein the movement of the keyboard panel is transmitted by a second pivot joint (50; See Figure 6) to the link (24) for reducing an angle between the link and a vertical plane, wherein the link swivels towards the vertical plane as the keyboard panel travels from the working position to the storage position (See motion from Figure 4 to Figure 3, as the keyboard panel is pushed inwards, the link 24 rotates downwards, past the horizontal, and therefore towards a vertical plane).

28. Korber does not explicitly state a front cover beneath the keyboard panel.

29. Korolainen is cited for teaching a computer table element having a front cover (8; see Figure 3).

30. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the computer table element of Korber so as to incorporate a front cover attached to the links (between links 24's; See Figure 6), as taught by Korolainen, in order to provide a cover for the flat panel display and prevent a user from kicking the

Art Unit: 3637

display when in a stored position. It follows that the cover plate being mounted between link arms (24's) would rotate with the link arms in the prescribed fashion.

31. As for Claim 3, as best understood, Korber, as modified by Korolainen, is cited for further teaching a top portion (right side looking at Figure 6) of the display bearer (14) is connected to the body by a horizontal swivel axle (40 on right side looking at Figure 6), whereby, while swiveling towards the vertical plane, the front cover moves in its entirety towards the element's rear portion as the display bearer (14) swivels towards the vertical plane (See Figures 2-4; as the keyboard panel is retracted, the link arm (24), and thus the front cover, moves in its entirety towards the element's rear portion).

32. As for Claims 6, 11, and 12, as best understood, Korber is cited for further teaching the bearer (14) comprises a frame member (main body portion of 14) and a suspension member (44; See Figure 6) supported thereon, and that the frame member has top and bottom portions (left and right portions looking at Figure 6) thereof provided with horizontal swivel axles (46's) for the bearer.

33. Claims 4, 7, 8, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Korber ('890) in view of Korolainen ('976) as applied to claims 1-3 above, and further in view of Johnson et al. (Johnson) (United States Patent No. 5,377,951).

34. As for Claims 4, 7, and 8, as best understood, Korber, as modified by Korolainen, is cited for teaching the limitations of Claims 1-3 respectively, as previously discussed. Korber, as modified by Korolainen, further teaches there being two swing arms (24's;

Art Unit: 3637

See Figure 6) which are connected by the second pivot joint (50) to the keyboard panel (30).

35. Korber, as modified by Korolainen does not explicitly state the swing arms being of L-shaped cross-section.

36. Johnson is cited for teaching a computer table element having two L-shaped cross-section arms (132's; See Figure 3) connected by a pivot joint to a keyboard panel.

37. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the computer table element of Korber, as modified by Korolainen, so as to form the swing arms with an L-shaped cross section, as taught by Johnson, in order to allow the front cover (kick plate) to extend downwards from the table at a greater (and perhaps a more appropriate) distance therefrom. Alternatively, the configuration would allow for increase flexibility in mounting the front cover. Further, it would be recognized by one of ordinary skill in the art that substitution of a straight link for an L-shaped link would be regarded as an obvious design choice, each link working equally as well.

38. As for Claim 13, Korber, as modified by Korolainen and Johnson, is cited for teaching the limitations of Claim 4 as previously discussed. As best understood, Korber is cited for further teaching the bearer (14) comprises a frame member (main body portion of 14) and a suspension member (44; See Figure 6) supported thereon, and that the frame member has top and bottom portions (left and right portions looking at Figure 6) thereof provided with horizontal swivel axles (46's) for the bearer.

Art Unit: 3637

39. Claims 5, 9, 10, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Korber ('890) in view of Korolainen ('976) as applied to claims 1-3 above, and further in view of Lechman (United States Patent No. 6,092,883).

40. As for Claims 5, 9, and 10, Korber, as modified by Korolainen, is cited for teaching the limitations of Claims 1-3 respectively as previously discussed.

41. As best understood, Korber, as modified by Korolainen, does not explicitly state the swing arm(s) and the front cover are made of a wire mesh.

42. Lechman is cited for teaching forming a support assembly from interwelded wire components (See Col. 2, lines 13-17).

43. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the computer table element of Korber, as modified by Korolainen, so as to form the swing arm(s) and the front cover from a wire mesh, as taught by Lechman, in order to make the swivel arm and cover plate assembly light in total weight and to also provide excellent capacity for air circulation purposes (as the swivel arms and the cover plate are proximal to the monitor) (See Lechman, Col. 2, lines 13-17).

44. As for Claim 14, Korber, as modified by Korolainen and Lechman, teach the limitations of Claim 5 as discussed above. As best understood, Korber is cited for further teaching the bearer (14) comprises a frame member (main body portion of 14) and a suspension member (44; See Figure 6) supported thereon, and that the frame member has top and bottom portions (left and right portions looking at Figure 6) thereof provided with horizontal swivel axles (46's) for the bearer.

Conclusion

45. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

46. Cotterill discloses a keyboard support arm embodied as a straight link or an L-shaped link.

47. Lechman ('377) discloses a wire support having end wires, middle wires forming a bottom surface, and laterally extending cylindrical wires.

48. Visser et al., Trapani, Sullivan, III, Greene et al., Laukamm-Josten, Schairbaum, Motoyama et al., and Price, Jr. et al. disclose computer desks with movable display and keyboard mounts.

49. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL CALABRESE whose telephone number is (571)270-7862. The examiner can normally be reached on Monday - Thursday 8:00am to 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darnell Jayne can be reached on (571) 272-7723. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3637

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. C./
Examiner, Art Unit 3637

/Darnell M Jayne/
Supervisory Patent Examiner, Art
Unit 3637